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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,528	03/01/2004	Charles E. Devrick	382117.00013	2732
34802	7590	11/02/2005	EXAMINER	
HOLLAND & KNIGHT LLP ATTN: STEFAN V. STEIN/ IP DEPT. POST OFFICE BOX 1288 TAMPA, FL 33601-1288			IZAGUIRRE, ISMAEL	
		ART UNIT	PAPER NUMBER	3765

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/790,528	DEVRICK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ismael Izaguirre	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 20 May 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 19 and 20 is/are allowed.

6) Claim(s) 1-18 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/16/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

**CLAIMS**

***Summary***

Claims 1,7,18 and 19 are the independent claims under consideration in this Office Action.

Claims 2-6,8-17 and 20 are the dependent claims under consideration in this Office Action:

***Claim Language***

In claim 1, line 1, it is suggested that the word “improved” be deleted. An “improvement” in an apparatus should be distinctly pointed out in the body of the claim. By placing the word “improved” at the beginning of the claim, this may cause confusion to a member of the public and he/she would instinctively seek the specific line in the claim, which defines the improvement. Deletion of this word would avoid such confusion.

***Claim Rejections - 35 U.S.C. § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 5 and 6 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to these claims, lines 1-2, there is no proper antecedent basis for the words "said gripping members".

***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7,8 and 14-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Harrod et al. (6,401,992).

Harrod et al. teach a pressing method and apparatus for pressing a garment. The apparatus includes a buck 10 for receiving a garment, a collar mount, and two retractable arms 16 (figure 1, for example) comprising short sleeve and long sleeve grippers for pressing the sleeves of a garment. The grippers (which are mounted on the arms), comprise clamping members 18 and 28, and are pneumatically operated or movable via means 50 for moving the grippers toward and away from the buck and tensioning the clamped sleeves of the garment. The grippers comprise movable, opposed bars or clamping members 18 and 28 (see figure 2a, for example) grip the sleeves for the removal of wrinkles thereof. The short sleeve grippers have curved free ends and are further swingable away when long sleeves are being processed and swingable toward an actuating position for gripping the short sleeves of the garments.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,5-9,13-16 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Uchikoshi (6,758,377).

Uchikoshi teaches a pressing method and apparatus for pressing a garment. The apparatus includes a buck 2 for receiving a garment, a collar mount (figure 1), and two retractable arms 7 (figure 1, for example) comprising short sleeve and long sleeve grippers for pressing the sleeves of a garment. A cuff-mounting member 10 is provided for accommodating the sleeves of a garment and includes opposing grippers/clamps or bars for pressing the garment cuff against the cuff member 10. The grippers (which are mounted on the arms) comprise pneumatically actuated (10b) clamping members 10a and are further pneumatically operated or movable via inherent means for moving the grippers toward and away from the buck and tensioning the clamped sleeves of the garment. The grippers comprise movable, opposed bars or clamping members 18 and 28 (see figure 2a, for example) grip the sleeves for the removal of wrinkles thereof. Further grippers/clamps or bars are provided for gripping the short sleeves of the garment. The short sleeve grippers are further swingable away when long sleeves are

being processed and swingable toward an actuating position for gripping the short sleeves of the garments.

***Claim Rejections - 35 U.S.C. § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,3,10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Uchikoshi.

Uchikoshi discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Uchikoshi teaches an apparatus for pressing a garment and teaches a sleeve presser for pressing long and short sleeves. The sleeve presser includes a cuff-mounting member with an inherent cover and clamps 10a for pressing the cuff portions against the cuff member 10. However, Uchikoshi is not specific on the cuff-mounting member and does not suggest the member as including a teardrop shape.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the cuff-accommodating member as including a teardrop shape. Providing such a shape would allow the insertion of the member into

the sleeve and yet the gathering and proper positioning of the cuff portions being pressed.

Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Uchikoshi.

Uchikoshi discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Uchikoshi teaches an apparatus for pressing a garment and teaches a sleeve presser for pressing long and short sleeves. The sleeve presser includes a cuff-mounting member with an inherent cover and clamps 10a for pressing the cuff portions against the cuff member 10. However, Uchikoshi does not specifically define the grippers or clamps 10a as including a soft foam cover.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the cuff clamps as including a soft foam cover. Providing such a cover would prevent a "shine" being placed on the cuff portions during the ironing and prevent crushing the fibers of the cuff portions, which would damage the garment.

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrod et al.

Harrod et al. disclose the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Harrod et al. teach an apparatus for pressing a garment and teach a sleeve presser for pressing long and short sleeves. The sleeve presser includes cuff grippers 28, which grip the cuffs

and include a tube bar or tube structure (figure 2a) at the free ends (see leader line of character number 28. However, Harrod et al. do not teach the grippers as including a textured tube structure.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the cuff clamps as including a textured tube structure at the free ends. Providing such a texture would allow the positive gripping of the cuffs. This would assure that when the steam is blasted through the garment, the sleeves would not slip out of the grippers.

#### ***ALLOWABLE SUBJECT MATTER***

Claims 19 and 20 are allowable over the prior art of record.

#### ***PERTINENT CITATIONS***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Uchikoshi '852 illustrates a sleeve presser apparatus, which accommodates long and short sleeves. McCormick et al., and Paris illustrate sleeve grippers for long and short-sleeved garments.

#### ***INQUIRIES***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ismael Izaguirre  
Primary Examiner  
Art Unit 3765

II  
10/30/05